

Smith, DavidW

From: kermish.laurie <email_this@eenews.net>
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WATER POLLUTION

LA to spend \$4M to stop stormwater runoff

Jeremy P. Jacobs, E&E News reporter

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Los Angeles will spend \$4 million on projects aimed at preventing polluted stormwater runoff from reaching beaches and the ocean under a settlement with environmental groups announced yesterday.

The agreement is the result of a lawsuit filed by the Natural Resources Defense Council and the Los Angeles Waterkeeper against Los Angeles County and its water district in 2008 that ultimately reached the Supreme Court four years ago.

At issue in the litigation was whether the water district's monitors showed that stormwater runoff was exceeding limits set forth in a Clean Water Act National Pollutant Discharge Elimination System, or NPDES, permit.

Los Angeles' massive stormwater system of gutters and catch basins contains about 500 miles of open channel and 2,800 miles of storm drains.

The environmental groups contended that the monitors showed nearly 500 violations, which result in billions of gallons of potentially toxic stormwater runoff being funneled to beaches and the Pacific Ocean.

Under the terms of the settlement, the county will spend \$2.8 million on a program in Watts that includes bioswales, porous pavement and new landscaping.

Another \$1.2 million will be used in unincorporated areas of Los Angeles, and will include water capture and filtration.

"For years, the urban slobber that's picked up by rainwater as it flows into drains and waterways has been a real issue for Southern California — a source of pollution that's also an underutilized supply of reusable water if it's captured before it picks up all these pollutants," Steve Fleischli, senior attorney and NRDC water program director, said in a statement.

The lawsuit, which centered on the concrete-lined Los Angeles River as well as the San Gabriel River, reached the Supreme Court in 2012. The high court ruled in favor of the water district, but only on the narrow issue of whether a discharge occurs when water flows from one portion of a river through a concrete channel into a lower portion of the same river ([*Greenwire*](#), Jan. 8, 2013).

The case returned to lower courts, where the environmental groups prevailed multiple times.

In August 2013, for example, the 9th U.S. Circuit Court of Appeals ruled that the water district is liable for pollution in the complicated stormwater drainage system ([*E&ENews PM*](#), Aug. 8, 2013).

A federal district court in March 2015 enumerated 498 total violations of the district's permit.

Los Angeles Waterkeeper Executive Director Bruce Reznik said the settlement is an important step for the city.

"The projects to be funded through this settlement mitigate the environmental and health impacts of drought, polluted runoff and flooding, creating healthier and more climate-resilient communities," he said. "This settlement will result in an investment with long-lasting impacts on our neighborhoods for today's and tomorrow's generations."

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122 C St. NW, Ste. 722, Wash., D.C. 20001
Phone: 202-628-6500 Fax: 202-737-5299
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